

## REMARKS

The Office Action dated August 3, 2007 has been received and carefully noted. Claims 1-21 are currently pending in the subject application and are presently under consideration.

Claim 22 has been added and claims 1, 3, 7, 11, 14, and 18 have been amended herein. Support for the amendments can be found in at least paragraphs 0011, 0013, and 0014 of the Specification. A listing of claims can be found on pages 2-5 of this Reply.

Favorable reconsideration of the pending claims is respectfully requested in view of the amendment and comments herein.

### **I. Rejection of Claims 1-9, 11, 12, 14-16, and 18-20 Under 35 U.S.C. §102(e)**

Claims 1-9, 11, 12, 14-16, and 18-20 stand rejected under 35 U.S.C. §102(e) as anticipated by Burroughs *et al.* (US 7,111,158). It is requested that this rejection be withdrawn for at least the following reason. Burroughs *et al.* does not describe each and every element of the claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “***each and every element*** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

In particular, similarly amended independent claims 1, 7, and 18 recite: “a host transmitting a first signal to a first device coupled with a second device; in response to the first signal, ***the second device inserting a second signal into transmission of a third signal from the first device to the host***; the host detecting a presence of the second device, in response to receipt of the second signal if the host is of a first set of hosts” (emphasis added) and independent claims 11 and 14 as similarly amended, recite: “a host transmitting a COMRESET to a device coupled with a switch; ***the host receiving a COMWAKE originating from the switch***; the host identifying a presence of the switch, in response to receipt of the COMWAKE” (emphasis added). Burroughs *et al.* fails to describe such aspects.

Burroughs *et al.* involves a system of multiple hosts that share control of a single serial ATA device through use of a communications medium. The hosts transmit commands to the

serial ATA device to transition between sleep mode and normal mode in order for the serial ATA device to switch between hosts. When the serial ATA device is in sleep mode, control of the device can switch from one host to another. When the serial ATA device is in normal mode, the device can exchange data with the connected host. However, the communications medium fails to insert any signals into a response from the serial ATA device to the host. Rather, the communications medium provides a way for message exchange between a serial ATA device and multiple hosts. Thus, the cited reference fails to teach “a host transmitting a first signal to a first device coupled with a second device; in response to the first signal, ***the second device inserting a second signal into transmission of a third signal from the first device to the host***; the host detecting a presence of the second device, in response to receipt of the second signal if the host is of a first set of hosts” (emphasis added).

In addition, Burroughs *et al.* is silent with respect to “a host transmitting a COMRESET to a device coupled with a switch; ***the host receiving a COMWAKE originating from the switch***; the host identifying a presence of the switch, in response to receipt of the COMWAKE” (emphasis added). Burroughs *et al.* refers to a COMWAKE command from a host to the serial ATA device at col. 1, ll. 38-9 (See Office Action dated August 3, 2007, pg. 4) and also at col. 4, ll. 18-22. Col. 1, ll. 38-9 describes a host that “calibrates and issues a COMWAKE signal” in a startup sequence and a device that then “similarly calibrates and issues the COMWAKE signal.” In col. 4, ll. 18-22, a host transmits a COMWAKE command to the serial ATA device to direct it out of sleep mode and into normal operating mode. In either case, the noted passages fail to teach “***the host receiving a COMWAKE originating from the switch***” (emphasis added) as newly amended.

Claims 2-6 depend from independent claim 1, claims 8 and 9 depend from independent claim 7, claim 12 depends from independent claim 11, claims 15 and 16 depend from independent claim 14, and claims 19 and 20 depend from independent claim 18 and thus incorporate the limitations thereof. Thus, for at least the above reasons relating to the independent claims, Burroughs *et al.* fails to describe each and every element of the dependent claims. Accordingly, the Applicants respectfully request that the rejection under 35 U.S.C. §102(e) be withdrawn.

**II. Rejection of Claims 10, 13, 17, and 21 Under 35 U.S.C. §103(a)**

Claims 10, 13, 17, and 21 stand rejected under 35 U.S.C. §103(a) as obvious over Burroughs *et al.*, in view of Grieff *et al.* (US 6,948,036). It is requested that this rejection be withdrawn for at least the following reason. To establish a *prima facie* case of obviousness, the Examiner must show that the cited references, combined, teach or suggest each of the elements of the claims. In particular, claims 10, 13, 17, and 21 depend from independent claims 7, 11, 14, and 18, respectively, and thus incorporate the limitations thereof. The Examiner has not relied upon and the Applicants are unable to discern any part of Grieff *et al.* that cures the aforementioned deficiencies regarding the newly amended aspects of independent claims 7, 11, 14, and 18. For at least the above reasons regarding independent claims 7, 11, 14, and 18, Burroughs *et al.* and Grieff *et al.*, alone or in combination, fail to teach or suggest each element of claims 10, 13, 17, and 21. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) be withdrawn.

### CONCLUSION


In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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### CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being transmitted online via EFS Web to the Patent and Trademark Office, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on October 18, 2007.

  
Lori Ciccio

10/18, 2007